

# ASBS Special Protections Comments of County of Los Angeles and Los Angeles County Flood Control District

**Gary Hildebrand, P.E.**

Assistant Deputy Director

Los Angeles County Department of Public Works

State Water Resources Control Board, March 20, 2012

# 4 Comments:

1. LA County and LA County Flood Control District as separate applicants to the general exception
2. Iterative process for stormwater discharges
3. Naturally occurring flows
4. Public water systems discharges

# County & District as Separate Applicants

- The County and the Flood Control District are separate legal entities and have applied for the exception as two separate dischargers
- Attachment A should be revised to list the County and the District individually (on separate lines)

# Iterative Process for Stormwater

- Provisions I.A.2.h.(5) and I.B.2.c.(5) were added to state that

“Compliance with this section does not excuse violations of any term, prohibition, or condition contained in this special protections.”
- This should be revised as follows

“Compliance with this section does not excuse violations of any other terms, prohibitions, or conditions contained in this special protections.”

# Naturally Occurring Flows

- We support the addition of sections *I.A.1.e.(2)(vi)* and *I.B.1.e.(2)(vi)* regarding exempting naturally occurring flows
- However, these natural flows should not be required to meet water quality objectives in Chapter II of the Ocean Plan or not to alter natural ocean water quality since these flows are not from anthropogenic sources

# Naturally Occurring Flows

- Revise Sections *I.A.1.e.(3)* and *I.B.1.e.(3)* as follows:

“Authorized non-storm water discharges, **except for naturally occurring groundwater seepage via a storm drain or non-anthropogenic flows from naturally occurring stream via a culvert or storm drain**, shall not cause or contribute to violation of the water quality objectives ...”

# Public Water Systems Discharges

- Public water systems discharges should be exempt from the non-stormwater discharge prohibition.
- We previously raised this concern on August 15, 2006, March 15, 2010, and May 19, 2011.
- Public water systems must make periodic discharges, sometimes unplanned, to maintain drinking water quality in accordance with State and Federal Safe Drinking Water Acts.
- A **February 14, 2012** letter from California Department of Public Health urged the LARWQCB to allow public water systems discharges under the LA County MS4 permit by implementing BMPs to the maximum extent practicable.



RON CHAPMAN, MD, MPH  
Director & State Health Officer

State of California—Health and Human Services Agency  
California Department of Public Health



EDMUND G. BROWN JR.  
Governor

February 14, 2012

Samuel Unger  
Executive Officer  
California Regional Water Quality Control Board  
Los Angeles Region  
320 West 4<sup>th</sup> Street, Suite 200  
Los Angeles, CA 90013

Dear Mr. Unger:

MS4 PERMITS INVOLVING PUBLIC WATER SYSTEM DISCHARGES

The purpose of this letter is to outline the concerns of the California Department of Public Health (CDPH) regarding the proposed Los Angeles County MS4 permit to be issued by the Regional Water Quality Control Board. Our concern focuses primarily on "non-storm water discharges" that originate from public water systems regulated by the Drinking Water Program for compliance with the State and Federal Safe Drinking Water Acts.

There are a number of regulations enforced by our program that require public water systems to periodically maintain their facilities including flushing portions of their distribution systems and discharging potable water to ensure that the water delivered to customers remains safe for human consumption. In most cases, the water is discharged to storm drains. We understand that your agency's goal is to minimize the impacts of discharges on receiving waters. It is important that water system operations and maintenance activities are not adversely influenced by concerns of fines and penalties that may occur if distribution systems, reservoirs or wells are flushed and cleaned to improve water quality.

The list below summarizes the typical planned operations and maintenance activities that require discharge of water from public water systems to achieve compliance with Title 22, California Code of Regulations, Chapter 15, Article 16 §64449.5 and Title 22 California Code of Regulations, Chapter 16, Article 4 §64575, Article 6, §64585, and Article 8, §64600:

1. Flushing mains, dead ends or other areas to address water quality problems
2. Water main maintenance and repair
3. System wide distribution system flushing

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Received

FEB 23 2012

CDPH-DWFOB-Los Angeles

Mr. Samuel Unger  
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4. Wells start-up or development
5. Treatment facility start-ups
6. Well rehabilitation
7. Well head pump to waste on start-up
8. Small Scale Pilot or Demonstration systems
9. Sample drain lines (most to sewers)
10. Backwash decanting
11. Reservoir maintenance and/or cleaning
12. Hydrostatic discharges

When planned operations and maintenance activities including flushing are needed, public water systems routinely comply with required Best Management Practices (BMP) including dechlorination to protect plants, fish, and the environment; implement sediment control and prevent discharge scouring; and keep records of the volume of water flushed. The cost of drinking water supplies alone prevents excessive flushing and potable water discharges by public water systems since it increases their operating expenses.

Additionally, unplanned potable water discharges can occur on occasion. Examples include sheared fire hydrants, water main breaks, and treatment equipment malfunction. These discharges can be controlled and impacts minimized by rapid emergency response.

CDPH respectfully requests that your Board consider allowing the MS4 permit holders to work in partnership with the public water systems to develop and implement BMPs to minimize the impacts to the receiving waters to the maximum extent practicable, rather than establishing numerical effluent limits for potable discharges. CDPH feels that this approach would meet the objectives of both the State and Federal Safe Drinking Water Acts and the Clean Water Act.

We would be happy to meet with your staff to further discuss this issue upon your request. Thank you in advance for your attention to these matters.

Sincerely,

Leah Godsey Walker, P.E., Chief  
Division of Drinking Water  
and Environmental Management



# Public Water Systems Discharges

- Revise Sections *I.A.1.e.(2)* and *I.B.1.e.(2)* to include:

“Are necessary to comply with Title 22, California Code of Regulations, Chapter 15, Article 16 §64449.5 and Title 22, California Code of Regulations, Chapter 16, Article 4 §64575, Article 6, §64585, and Article 8, §64600:

1. Flushing mains, dead ends or other areas to address water quality problems
2. Water main maintenance and repair
3. System wide distribution system flushing
4. Wells start-up or development
5. Treatment facility start-ups
6. Well rehabilitation
7. Well head pump to waste on start-up
8. Small Scale Pilot or Demonstration systems
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11. Reservoir maintenance and/or cleaning
12. Hydrostatic discharges”



Thank you.